

not muster the courage to hold a vote on two proposals that are supported by roughly 90 percent of this country and that can save American lives.

Mr. Speaker, the American people deserve to be heard. They deserve a vote. If the U.S. homeland security community places a person on the FBI terrorist watch list or determines that a person is too dangerous to board an airplane, then surely we can agree that person is too dangerous to buy a firearm.

This week, the majority will introduce a bill that pretends to close this gap in our homeland security laws, but, in reality, it would create a system in which it is both legal and likely for suspected terrorists to buy a firearm.

The Republican measure takes no fly, no buy and turns it into no fly, no problem. Under their proposal, if a known or suspected terrorist attempts to buy a weapon, they will be denied that ability for a mere 3 days.

From the moment they attempt to purchase that firearm, the following things must happen, all within 72 hours, to prevent that purchase: the Attorney General must file a petition in Federal court; the court must schedule a hearing; the suspect must be provided actual notice and the opportunity to appear at that hearing with a lawyer; the court must rule on the petition. And if all those things do not occur in 3 days, the suspect is legally entitled to buy a weapon.

Not only does the Republican bill set an impossible timeline, it also requires the Justice Department to meet an extremely high burden of proof. A sale would only be prevented if the court finds probable cause that the suspect has committed or will commit an act of terrorism.

The Republican proposal is specifically designed to ensure the Justice Department fails and the suspect is allowed to buy a gun. It is a fig leaf to cover up the Republicans' refusal to take any meaningful action on gun violence. It is no surprise that this bill is supported by the gun lobby.

Instead of spending our time on toothless, ineffective proposals, we should vote on the original no fly, no buy bill that will keep guns out of the hands of suspected terrorists.

We are also demanding a vote on a bipartisan proposal to require that commercial gun purchases include a background check, background checks for all. I have yet to hear one good explanation on why this should not be the law of the land. If a dangerous person cannot pass a background check at a licensed gun dealer, they should not be able to avoid a background check by going to a gun show or purchasing a firearm over the Internet.

In States that have closed loopholes in their background check laws, 48 percent fewer on-duty police officers are shot to death—but my colleagues across the aisle still refuse to hold a vote.

Mr. Speaker, 33,000 people were killed by gun violence in America last year.

The American people deserve more than moments of silence. They deserve action to keep dangerous weapons out of the hands of dangerous people.

□ 1300

They deserve to have their voices heard. They deserve to send their kids to school without fearing an assault-style weapon will be waiting for them. But, at the very least, they deserve to know where each Member of Congress stands. I am asking my Republican colleagues to find the courage to hold a vote on real gun violence prevention legislation that will save American lives.

GUN VIOLENCE

The SPEAKER pro tempore. The Chair recognizes the gentleman from South Carolina (Mr. CLYBURN) for 5 minutes.

Mr. CLYBURN. Mr. Speaker, I am pleased that the House will finally consider legislation to make reforms to our background check system for firearm purchases. Now, Mr. Speaker, the word "reform" can either be a noun or a verb. As a noun, reform means a change for the better, improving a situation without revolutionary change, a moral improvement. But I am afraid, Mr. Speaker, that in this instance, the reform we are about to vote upon is a verb, where it simply means to form again or to become formed again.

Americans are demanding a background check system that is a change for the better and is not riddled with loopholes. They demand a system that protects the rights of law-abiding Americans while preventing dangerous individuals from obtaining weapons. They demand a system where, to purchase a gun, you must pass a background check. Unfortunately, the bill before us, crafted by the NRA, will not deliver this to the American people.

One of the fundamental loopholes in the Brady bill, which requires background checks for most purchases, is that, if the sale is not approved after 3 days, a firearm dealer can make the sale anyway, even though the background check is still pending. Tragically, this loophole has been given a new name and nine new faces following the attack at Emanuel AME Church in Charleston on June 17, 2015.

Prior to that fateful day, the Charleston shooter was arrested in Columbia, South Carolina, on March 1, 2015, and charged with a felony drug offense. FBI Director James Comey has since confirmed that, as part of this arrest, the shooter admitted to the city of Columbia police that he was in possession of drugs. Under the Brady Handgun Violence Prevention Act, an unlawful drug user or addict is prohibited from purchasing a firearm, and this information should have barred the shooter from the purchase.

Now, on Saturday, April 11, 2015, the shooter attempted to purchase a firearm in West Columbia, South Carolina,

and the background check process was initiated. Now, Mr. Speaker, 91 percent of FBI background checks are processed within minutes, and gun dealers are informed the buyer is either approved or denied; however, the other 9 percent require additional scrutiny by FBI examiners and are not processed immediately. The Charleston shooter's background check was marked "delayed/pending."

Though the shooter was arrested on March 1 by the city of Columbia police, he, for some reason, was taken to the Lexington County jail, and his arrest record listed the arresting agency as the Lexington County Sheriff's Office. Columbia, South Carolina, is in Richland County. This clerical error was noticed by a Lexington County corrections officer shortly after and corrected, but was only corrected internally. That correction was not given to the FBI.

On Monday, April 13, when the FBI investigator sought to get more information about the shooter's March arrest, she initially contacted the Lexington County Sheriff's Office for more information, who informed her that the case was in the city of Columbia. Not seeing a listing for Columbia on the Lexington County law enforcement list, she contacted West Columbia, who had no knowledge of the arrest.

By Thursday, April 16, the background check was still listed as delayed/pending, but three business days had passed. Consequently, Mr. Speaker, he was allowed to purchase a gun, and nine souls lost their lives because of this loophole. We should close it and do it today.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 1 o'clock and 6 minutes p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WOMACK) at 2 p.m.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Loving and merciful God, we give You thanks for giving us another day.

As the Members of this assembly return from days away celebrating our Nation's birth, grant them measured patience and a spirit of common purpose in addressing the pressing issues of these days.

We pray for the needs of the Nation, the world, and all of creation. Bless those who seek to honor You and serve each other and all Americans in this House through their public service.